

LOS ANGELES POLICE COMMISSION

***Review of the
Ethics Enforcement Section
Quarterly Report
First Quarter 2011
(PUBLIC, OPEN SESSION)***



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

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OFFICE OF THE INSPECTOR GENERAL
REVIEW OF ETHICS ENFORCEMENT SECTION QUARTERLY REPORT
FIRST QUARTER 2011
PUBLIC

PURPOSE

The Office of the Inspector General (OIG) reviewed the Ethics Enforcement Section (EES) Quarterly Report, First Quarter 2011 (Quarterly Report), and the associated audit packages to evaluate the completeness, quality, and findings of audits conducted by EES.¹ The Chief of Police signed the Quarterly Report on June 15, 2011, and the OIG received the Quarterly Report on July 5, 2011.

BACKGROUND

The OIG has reviewed and reported on every quarterly report completed by EES since the first calendar quarter of 2004.² These reports summarize the results of EES audits completed during the specified quarter. EES conducts three types of integrity audits: specific, special operation, and random. These audits are conducted to identify and investigate employees engaging in improper behavior (e.g., unlawful stops, unlawful searches/seizures, unauthorized force, dishonesty, unbecoming conduct, discourtesy and discrimination) and are designed to covertly assess an officer's behavior for compliance with Los Angeles Police Department (Department) standards and applicable law.

A specific integrity audit is initiated based on prior knowledge obtained regarding a particular officer's suspected improper behavior. A special operation integrity audit, also based on prior knowledge, ascertains whether a specific improper behavior will occur without targeting a particular officer. This type of integrity audit may involve surveillance of a location where the alleged improper behavior may be likely to occur. A random integrity audit is not based on prior knowledge, but rather involves designing a scenario without preselecting an officer. Random integrity audits are conducted City-wide. Integrity audits may involve surveillance by EES and/or interaction with an EES undercover officer (UC). Integrity audits involve considerable pre-operational planning to help mitigate the risks associated with these staged events, including the safety of the UC. Occasionally, at the request of an outside agency, an audit will be conducted to assess the behavior of a specific officer employed by the requesting outside agency. These audit results are communicated to the appropriate agency.

In addition to integrity audits, the Department conducts complaint intake audits to identify and investigate employees who discourage the filing of a personnel complaint, fail to accept a personnel complaint, or fail to report complaints of misconduct. These audits are conducted to determine if officers at Area police stations accept and record personnel complaints properly and within a reasonable time period. Complaint intake audits involve a UC calling or walking into a predetermined Area police station or, less frequently, mailing a personnel complaint. Although complaint intake audits represent a lesser risk to the Department, the process is well scripted and rehearsed by EES personnel prior to their execution.

¹ Quarters are referenced by calendar quarter with the first quarter ending March 31, 2011.

² Ethics Enforcement Section is under Special Operations Division, which also includes Internal Surveillance Unit and Worker Compensation Fraud Coordination Unit. Special Operations Division is part of Professional Standards Bureau.

Integrity Audit Summary

The following table summarizes the eight integrity audits conducted by EES during the quarter and reviewed by the OIG, with six classified as Pass, one as Fail, and one as Attempt.³

EES AUDIT #	BEHAVIOR TESTED	AUDIT TYPE	EES AUDIT CLASSIFICATION
10-135	Theft	Special	Pass
11-001	Theft	Specific	Pass
11-002	Unbecoming Conduct	Specific	Pass
11-010	Field Enforcement Activities	Random	Pass
11-013	Unbecoming Conduct	Specific	Fail
11-014	Neglect of Duty	Specific	Pass
11-015	Field Enforcement Activities	Random	Pass
11-016	Excessive Force	Specific	Attempt

The integrity audit classified as Fail involved a Department member who had engaged in personal activities while on duty and used a City vehicle for personal activities.

Complaint Intake Audit Summary

In addition to the integrity audits, EES conducted seven random telephonic station complaint intake audits, which involved a UC telephoning a police station in an attempt to make a personnel complaint against a police officer. Typically, a police officer at the police station would initially answer the call placed by the UC. The UC would describe to the officer a preplanned complaint scenario involving police misconduct which the UC either experienced or witnessed. The UC would either specifically indicate that he/she wanted to make a complaint or the scenario would clearly identify that police misconduct occurred. The officer who received the call is then required to transfer the UC to a station supervisor who is required to take the complaint. Each officer who speaks with the UC is identified during the audit in order to be able to assess his/her behavior. For this quarter, EES classified all seven of the complaint intake audits as Pass.⁴

METHODOLOGY

The OIG's scope included a review of all integrity and complaint intake audit packages that were completed and reported from January 1, 2011, through March 31, 2011.

The OIG conducted a performance review of EES's audits in accordance with generally accepted government auditing standards. These standards require that the review is adequately planned, performed, and supervised. The standards also require that sufficient and appropriate evidence is

³ Descriptions of the classifications used by EES for their first quarter 2011 integrity audits are as follows:
 Pass – The employee's actions during the audit were proper and consistent with Department policy and law.
 Fail – The employee's conduct was improper and violated either criminal law or Department policy.
 Attempt – The employee did not respond to the scenario or interact in a manner allowing examination of actions.

⁴ Descriptions of classifications used by EES for their first quarter 2011 complaint intake audits are as follows:
 Pass – The employee complied with current Department policy regarding the intake of public complaints of employee misconduct.

obtained by performing review procedures that provide a reasonable basis for the findings and conclusion.

OBJECTIVES

The OIG's review assessed the audits for completeness, findings, and quality as described below:

1. Assessment of Completeness - This assessment was made based on a review of both the Quarterly Report and EES's individual audit packages. Specifically, the OIG:
 - Determined if all audits initiated by EES have either been reported or are in progress; and
 - Determined if all evidence necessary to classify the audits were included in the packages.⁵
2. Assessment of Quality - This assessment was made based on a review of EES's individual audit packages. Specifically, the OIG:
 - Determined if proper approvals were obtained prior to the audit's execution and after the audit package was completed;
 - Evaluated each audit to determine if the scenario was designed to identify at-risk behavior;
 - Determined if the audits accurately reflected recorded events;
 - Evaluated each audit to determine if current EES policies and procedures were adequate;
 - Determined if EES procedures and Department policies were followed in the planning, execution, and events subsequent to the audits;
 - Evaluated the quality of service provided to the UC during complaint intake audits; and
 - Evaluated each audit to determine if the Final Report documented all pertinent information necessary to support the final classification of the audit.
3. Assessment of Findings - This assessment was made based on a review of the Quarterly Report and EES's individual audit packages. Specifically, the OIG:
 - Evaluated the Quarterly Report to determine if the Report accurately and completely presented the audit results (i.e., final classifications) as determined by EES management.
 - Evaluated EES's audits to ensure all significant concerns were addressed; and

⁵ An audit package should contain a Final Report, Operations Request, Operational Plan, the targeted officer's Training Evaluation Management System II (TEAMS II) report (for specific sting audits), and any other evidence, including video and audio recordings required to support the results of the audit.

- Evaluated EES's audits to determine if the final classifications were consistent with the officers' actions and EES current classification standards.

RESULTS

Completeness

The OIG determined that the EES Quarterly Report appropriately reported on a complete population of eight integrity and seven complaint intake audits by tracking all audits conducted and reported this quarter, as well as any audits previously conducted but not yet reported. Two audits remained open at the end of the first quarter 2011, which the OIG will continue to track to ensure they are properly completed and reported by EES. The OIG determined that all eight integrity and seven compliant intake audit packages contained complete information. As such, the EES audits met the OIG's standard for completeness.

Quality

Ethics Enforcement Section obtained the proper approval before and after the execution of each audit, complied with existing policies and procedures, and contacted appropriate Department personnel regarding the results of each audit. The audit scenarios were also designed to identify at-risk behavior and evaluate the quality of service the UC received during the complaint intake audits. As such, the EES audits met the OIG's standard for quality.

Findings

The EES Quarterly Report accurately and completely presented the audit results (i.e., final classifications) as determined by the Commanding Officer of Special Operations Division. Additionally, EES addressed all significant concerns that were identified during their audits. Furthermore, the final classifications for all integrity audits and complaint intake audits were consistent with the officers' actions and EES's current classification standards. As such, the EES audits met the OIG's standard for findings.

RECOMMENDATIONS

There are no recommendations.

RESPONSE OF MANAGEMENT

On October 20, 2011, the OIG discussed its review with the Commanding Officer of Special Operations Division, who expressed general agreement with the report.

CONCLUSION

The OIG concluded that the EES Quarterly Report and the associated audit packages met the OIG's standard for completeness, quality, and findings. This conclusion was supported by the OIG's detailed review of eight integrity and seven complaint intake audit packages.